



Squire Patton Boggs (US) LLP  
2550 M Street, NW  
Washington, D.C. 20037

O +1 202 457 6000  
F +1 202 457 6315  
squirepattonboggs.com

Gassan A. Baloul  
T +1 202 457 6155  
gassan.baloul@squirepb.com

**VIA ECF**

September 8, 2021

Hon. George B. Daniels  
United States District Judge  
United States District Court  
for the Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

**Re: *Sokolow v. PLO*, No. 04-cv-00397 (GBD-RLE)**

Dear Judge Daniels:

We are counsel to Defendants Palestine Liberation Organization and the Palestinian Authority (“Defendants”) in this matter. On September 7, 2021, the United States filed a notice of intervention and a brief defending the constitutionality of the PSJVTA [ECF 1042, 1043]. This occurred well after the parties had submitted briefs on the PSJVTA and presented argument to the Court, and after this Court’s judicial notice of the Defendants’ initial submissions on the PSJVTA in *Fuld v. PLO*, No. 20-cv-3374 (JMF) (S.D.N.Y.) [ECF 1034, 1035]. The United States’ brief asserts new arguments not addressed in the prior briefing. As such, Defendants respectfully seek leave to file a response brief of up to ten pages within two weeks, or as ordered by the Court.

Alternatively, Defendants respectfully ask this Court to take judicial notice of Defendants’ Memorandum of Law in Response to the Government’s Defense of the Promoting Security and Justice for Victims of Terrorism Act of 2019 in *Fuld* [ECF # 58, filed 8/27/2021] (“*Fuld* Response”), which (within the allotted five pages) addresses several of the same arguments asserted in the U.S. Brief in this case. In these circumstances, judicial notice would be appropriate as an alternative to supplemental briefing. *See McCulloch Orthopaedic Surgical Servs., PLLC v. Aetna Inc.*, 857 F.3d 141, 148 n.4 (2d Cir. 2017) (taking judicial notice of an amicus brief filed in a companion case with identical issues); *In re Ent. Mtge. Acceptance Co., LLC Secs. Litigation*, 391 F.3d 401, 410 n.8 (2d Cir. 2004) (same); *see also Hicks v. Bellnier*, 43 F. Supp. 3d 214, 226 (E.D.N.Y.2014) (“[T]he Court has taken judicial notice of the brief filed by [the Petitioner’s] appellate counsel before the Second Department, which argues the same four grounds raised in this Petition, and considered the arguments articulated there to the fullest extent possible in this

45 Offices in 20 Countries

Squire Patton Boggs (US) LLP is part of the international legal practice Squire Patton Boggs, which operates worldwide through a number of separate legal entities.

Please visit [squirepattonboggs.com](http://squirepattonboggs.com) for more information.

Squire Patton Boggs (US) LLP

Judge Daniels  
September 8, 2021

action.”). Further, in light of this Court’s judicial notice of the prior *Fuld* briefing on the PSJVT, taking judicial notice of Defendants’ *Fuld* Response will give the Court the benefit of the full briefing on these matters in *Fuld*.

Respectfully submitted,

/s/ Gassan A. Baloul  
Gassan A. Baloul

cc: All Counsel (via ECF)